

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

Title III English Language Learners (ELL)/Limited English Proficient (LEP) and Immigrant Students' English Language Proficiency (ELP) Standards

Applicable Statute or Regulation:

KRS 156.645, 158.6451; KRS 158.6453; KRS 158.649; 703 KAR 5:070; Title III, Title I, and Title IX, No Child Left Behind Act (NCLB) of 2001; Title VI of the Civil Rights Act of 1964

History/Background:

Existing Policy. Title III of the No Child Left Behind Act (NCLB) of 2001 focuses attention on the academic achievement of more than 5 million students who are English language learners. School districts in Kentucky provide education programs and services for English language learners across all grade levels, beginning with preschool through high school. The NCLB requirements complement the parameters set forth in *Kentucky's Program of Studies for P-12* for all students. In addition, there is a section in the *Program of Studies* that specifically addresses students with limited English proficiency.

Title III of NCLB requires states to establish English language proficiency standards aligned to English language proficiency assessment(s) and linked to the state's academic standards (*Program of Studies* and the Core Content for Assessment). NCLB also requires states to measure student achievement toward these standards through an annual administration of an English language proficiency assessment and to set measurable achievement objectives (AMAO) that relate to the development (progress) and attainment of English proficiency while making Adequate Yearly Progress in meeting state academic achievement standards.

The Kentucky Department of Education (KDE) has taken the following steps for adopting NCLB-required English language proficiency standards:

- In 2003, the Kentucky Board of Education (KBE) reviewed *English Language Proficiency Standards for Kentucky Schools* in draft form based on the *Program of Studies*.
- In 2004-2005, classroom teachers and experts in ELL instruction collaborated to create instructional companions for the *English Language Proficiency Standards for Kentucky Schools* that linked the ELP standards to classroom practices based on principles of second-language acquisition and academic learning.

- In 2005-2006, the Kentucky Department of Education (KDE) conducted a search for a statewide English language proficiency assessment to measure NCLB annual performance achievement objectives (AMAO).
- In July 2006, Kentucky joined the World-Class Instructional Design and Assessment (WIDA) Consortium of states (now consisting of Alabama, Delaware, District of Columbia, Georgia, Illinois, Maine, New Hampshire, New Jersey, North Dakota, Oklahoma, Pennsylvania, Rhode Island, Vermont and Wisconsin) and adopted ACCESS for ELLs® as a standards-based statewide language proficiency assessment.
- All Kentucky districts administered the ACCESS for ELLs® to identify ELL students during the state required testing window, January 8-February 16, 2007.
- The WIDA Consortium and its partner, Wisconsin Center for Educational Research (WCER), facilitated a study with Kentucky educators to determine the degree of alignment between the WIDA *English Language Proficiency Standards for English Language Learners* and Kentucky Core Content standards for Assessment and the degree of alignment between the WIDA standards and Kentucky English Language Proficiency Standards.
- A preliminary report on the results of this study was presented to the National Technical Advisory Panel for Assessment and Accountability (NTAPAA) in June 2007. The final report on the results of the alignment study will be presented at the next NTAPAA meeting (date pending).
- In July 2007, Kentucky educators and specialists in English language instruction collaborated as experts in a review of the *WIDA English Language Proficiency Standards for English Language Learners* to provide input about professional development options for implementation of the new standards statewide.
- KDE plans to use the WIDA Consortium *English Language Proficiency Standards for English Language Learners in Kindergarten through Grade 12* as Kentucky's NCLB required English language proficiency standards to act as a companion document to *The Program of Studies for Kentucky Schools Primary – 12 (2006)* in guiding instruction for Kentucky English language learners. *The WIDA English Language Proficiency Standards* do not replace the *Program of Studies for Kentucky Schools*. The *English Language Proficiency Standards for English Language Learners in Kindergarten through Grade 12* are attached for review.

Policy Issues:

What guidance does the KBE have as KDE proceeds with the implementation of the World-Class Instructional Design and Assessment (WIDA) *English Language Proficiency Standards for English Language Learners*?

Impact on Getting to Proficiency:

KDE must keep pace with the need to provide high quality assistance to schools and districts that serve ELL students by helping them to:

- Implement Title III mandates for data collection, reporting, assessment and accountability as they change;
- Build capacity to meet rigorous ELL student achievement goals for academic success;
- Disseminate knowledge, create expertise, and create data-driven instructional programs proven effective for ELL education and provide technical assistance; and
- Work with the Division of Curriculum Development on strategies and resources for educating ELLs in the classroom.

Groups Consulted and Brief Summary of Responses:

Staff within the agency worked with stakeholders representing district Title III Coordinators, superintendents, District Assessment Coordinators, content teachers, English language learner teachers, special education teachers, principals, district curriculum and instructional supervisors, Kentucky Teachers of English to Students of Other Languages (KYTESOL), English Language Learners (ELL) Advisory Group, and the ELL Standards Alignment Committee. All groups support Kentucky's approach.

Impact on Getting to Proficiency:

The English language proficiency standards are critical in improving the achievement levels of English Language Learners, Limited English Proficient and Immigrant students.

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